

## Regulation and Enforcement: Exerpt from 2002 Annual Report

### S5.B.8.a. New Development, Redevelopment and Construction Site Runoff

#### Permit Requirement

*A program to control runoff from new development, redevelopment and construction sites that discharge to the municipal separate storm sewers owned or operated by the permittee. The program must include: ordinances, minimum requirements, and best management practices (BMPs) equivalent to those found in Volumes I through IV of Ecology's Stormwater Management Manual for the Puget Sound Basin (1992 edition), permits, inspections, and enforcement capability. The program must also include a process to make available copies of the "Notice of Intent for Construction Activity" and copies of the "Notice of Intent for Industrial Activity" to representatives of proposed new development and redevelopment.*

#### Summary of Compliance Activities

Clark County Community Development Department implements the following development regulations to control stormwater's adverse influence on streams, wetlands, lakes, groundwater, and wildlife habitat:

- Stormwater and Erosion Control Ordinance;
- Wetlands Protection Ordinance;
- Habitat Preservation Ordinance; and
- Critical Aquifer Recharge Areas Ordinance.

Clark County Public Works Department issues and enforces permits for utility construction in county right-of-ways. These projects are also subject to the Stormwater and Erosion Control Ordinance.

*Equivalence to the Stormwater Management Manual for the Puget Sound Basin (Washington Department of Ecology, Feb. 1992)*

The county stormwater and erosion control code was revised for equivalence to the state manual and adopted by the Clark County Board of County Commissioners in July 2000. In April 2001, Ecology formally acknowledged that Clark County code meets the permit equivalency requirement.

#### *Erosion Control Certification*

Beginning January 1, 2001, County code requires all development contractors to be trained in erosion and sediment control by an organization recognized by the Community Development Department Director. The program has certified 770 people in Clark County as of the end of 2002.

#### *Regulatory Program Compliance Measures*

Stormwater and erosion control engineering design plans are only approved after detailed engineering review for conformance to stormwater code. Building permits are not issued until the subdivision stormwater system is complete. The low number of Development Services

project inspections that noted erosion control certifications is because this was checked before the projects begin construction and not often noted in follow up field inspections.

#### *2002 Stormwater and Erosion Control Engineering Plan Review*

<b>Plans Submitted</b>	<b>Number with Stormwater Features</b>	<b>Plans Approved</b>	<b>Stormwater Features in Compliance</b>
94	75	63	75

#### *2002 Development Services Inspections*

<b>Reporting Item</b>	<b>Totals</b>
# of active construction projects	298
# projects with initial inspection for buffer stakes and sediment control	52
# projects with monthly erosion control log	74
# erosion control inspections	1,202
# projects with erosion control certification (became effective Jan. 2001)	23
# stop work orders for erosion control violations	5
# citations for erosion control violations	0
# stormwater control inspections	938
# stop work orders for storm control violations	0
# citations for storm control violations	0
# construction acceptances	82
# maintenance warranty inspections	156
# projects receiving maintenance warranty inspection at 22 months (for county ownership)	44
Percent projects receiving maintenance warranty inspection at 22 months (for county ownership)	100%
# warranty inspections where notice of deficiencies sent out	12
Percent warranty inspections where notice of deficiencies sent out	27%
# final warranty release	44

#### *2002 Building Division Erosion Control Compliance Measures*

<b>MONTH</b>	<b>INSPECTIONS</b>	<b>CORRECTION ORDERS</b>	<b>STOP WORK ORDERS</b>	<b>CITATIONS</b>
Jan.- March	4,287	319	13	0
Apr. - June	3,445	113	6	0
July – Aug.	5,575	178	8	0
Sept. – Dec.	5,326	204	9	0
<b>Totals</b>	<b>18,633</b>	<b>814</b>	<b>36</b>	<b>0</b>

#### *Public Works Utility Permit Inspections*

All public utilities permit work in right-of-way is required to have a utilities permit and follow the design specifications. These projects are also subject to erosion control requirements of Chapter 13.29 CCC, Stormwater and Erosion Control. Generally, statistics for the reporting period suggest each permitted activity received an average of about three inspections. Erosion control stop work orders were not tracked separately from other more common violations. Generally there are few stop work orders because education actions solved problems.

### *2002 Utility Inspection Compliance Measures*

<b>Permits Issued</b>	<b>Inspections</b>	<b>Stop Work Orders</b>	<b>Projects Lacking Permit</b>	<b>Erosion Control Violations</b>	<b>Erosion Control Education Actions</b>
1,098	2,709	3	0	1	39

### *Public Works Road Program Plan Review*

During 2002, all Public Works Department project design plans are submitted to Community Development for review and approval. The process is identical to private development projects.

### *Public Works Road Program Construction Compliance*

County road project contractors are required to conform to local and state codes and laws by contract. This includes construction of stormwater facilities and erosion control measures. A staff person is dedicated to each project from the engineering and design to construction. A Public Works' site inspector visits the site early in the process to identify potential problems long before they become issues and to recommend field changes in the construction process. The inspector also audits the Stormwater Pollution Prevention Plans and the Erosion and Sediment Control logs required by the contract.

The standard construction contract includes individual bid items for erosion and sediment control, and stormwater pollution prevention BMPs. There are charges to individual water quality items, such as a construction entrance and wash rack, or an erosion control blanket. Specifications also include job requirements of Stormwater Pollution Prevention Plans, certified Erosion and Sediment Control Lead Person, and daily logs.

### *2002 Code Enforcement Division Compliance Measures*

Code Enforcement Division enforces building, development, and environmental regulations. Two Code Enforcement Officers work full time on erosion control, the Water Quality Ordinance, and other environmental regulations.

### *2002 Code Enforcement Division Inspections and Violations*

Type of Inspection	Grading	Erosion	Water Quality	Drainage	Wetland/ Habitat	Other	TOTAL
Complaints	157	495	28	49	146	5	880
Proactive Inspection	1	658	0	0	8	0	667
Subdivision Monitor	0	1060	0	0	22	0	1,082
Public Relations	15	326	4	31	60	0	436
<b>TOTAL</b>	<b>173</b>	<b>2,539</b>	<b>32</b>	<b>80</b>	<b>236</b>	<b>5</b>	<b>3,065</b>

	Grading	Erosion	Water Quality	Drainage	Wetland/ Habitat	Other	TOTAL
<b>Violations</b>	<b>46</b>	<b>471</b>	<b>6</b>	<b>4</b>	<b>48</b>	<b>1</b>	<b>576</b>

### *2002 Code Enforcement Resolutions*

Type of Resolution	Grading	Erosion	Water Quality	Drainage	Wetland/ Habitat	Other	TOTAL
Correction Notice	43	314	5	21	66	5	454
Letter	17	10	9	3	26	0	65
Personal Contact	92	996	21	18	61	0	1,188
Education	33	225	24	10	35	0	327
Citation	1	3	0	0	0	0	4
Notice and Order	1	0	0	0	1	0	2
Stop Work Order	8	37	1	0	3	0	49
Hearing	0	3	0	0	0	0	3
Referral to Water Resources	0	0	3	0	0	1	4
<b>TOTAL</b>	<b>195</b>	<b>1,588</b>	<b>63</b>	<b>52</b>	<b>192</b>	<b>6</b>	<b>3,734</b>

### *Notice of Intent forms*

Notice of Intent forms for NPDES industrial construction permits are available, along with development applications, at the Community Development customer service counter. The Stormwater and Erosion Control Ordinance requires projects to have all governmental permits as a part of a Final Stormwater Plan.

### *Regulatory Program Monitoring*

Community Development implemented a set of criteria to monitor implementation of the Stormwater and Erosion Control Ordinance. These are included as reporting items in this permit component. The ESA program is beginning a program to assess the influence county regulations have on salmon habitat.